

THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SHANCHUN YU AND RUILI JIN

Plaintiffs,

-v-

DIGUOJIAOYU, INC. d/b/a DIGUO EDU, et al.,

Defendants.

CASE NO.: 1:18-CV-07303

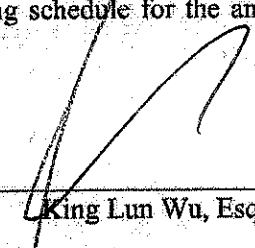
Judge: Hon. Jesse M. Furman

JOINT LETTER

1. On March 26, 2019, per Judge's Order, Plaintiffs submitted exhibits as attachments to a letter addressed to Judge Furman containing communication between Plaintiffs' attorney, witness, and Defendants of the case.
2. On March 29, 2019 continued to email Plaintiffs' counsel's email stating "Attorney Kelvin, please have a moral bottom line. If you continue to illogically defame our company, we will ask the New York Bar Association to take necessary legal measures against your behavior to protect the rights of our company" [Attachment 1].
3. Wherefore, Plaintiffs request Judge Furman enter an order for Defendants to cease such actions and enforce consequences if such actions continue.
4. As expressed by Defendants' counsel at the pre-trial conference on March 19, 2019, Defendant was not communicating with his attorney, which resulted in the delay of discovery.
5. Defendants counsel was notified by Plaintiffs' counsel regarding the harassment, death threats, and other miscellaneous communications Defendants had with Plaintiff and Plaintiffs' counsel.
6. Defendants' counsel contacted Defendants and requested such actions be stopped immediately. Defendants counsel contacted his client numerous times, but communication was only successful less than half of the time.
7. After finally reaching the Defendant after the pre-trial conference, Defendants intend to continue to defend this action.
8. Defendants requested additional time, and discussions regarding the possible need of a discovery extension was being discussed between both parties' attorneys.

9. Plaintiffs have now received information that Defendants do not need an extension for discovery and can subsequently propose a briefing schedule for the anticipated Motion for Summary Judgment.
10. Defendants published an Official Declaratory Statement on social media stating that a judgment was entered after the initial pre-trial conference against the Plaintiffs. This statement was published on WeChat, a social media platform used by all Chinese people globally and was shared thousands of times. This led to many of Plaintiffs' friends, families, and others believe that Plaintiffs were expelled for academic dishonesty unrelated to Diguojiaoyu, Inc whatsoever and led to their alma mater to disassociate with them.
11. Plaintiffs shall file a Motion for Summary Judgment no later than thirty (30) days after discovery, on April 26, 2019. Said Motion shall be based on defamation claim submitted in the Second Amended Complaint.
12. No answer was filed by Defendants' counsel to the Second Amended Complaint.
13. Defendants shall have 21 days upon service to submit an Opposition to Motion for Summary Judgment.
14. Due to technical difficulties, Document #34 could not be viewed through ECF. Therefore, Judge's Order could not be read. Counsel for both parties relied on the Docket Text displayed through email notification which failed to show the Order for joint letter to be submitted March 26, 2019 [Attachment 2].
15. Furthermore, a joint letter could not be submitted due to discussions about discovery extension, which delayed a proposition of setback briefing schedule for the anticipated Motion for Summary Judgment.

Dated: March 29, 2019
Flushing, NY


King Lun Wu, Esq.

King L. Wu & Associates, P.C.
Attorney for Plaintiffs

Dated: March 29, 2019
New York, NY


Leonard X. Gillespie

Hines & Associates, P.C.

Attorney for Defendants